REMARKS

This amendment is responsive to the Office Action mailed November 21, 2005. In the Office Action, the U.S. Patent and Trademark Office (hereinafter "the Office") rejected Claims 1-10, 15-21, 24-38, 40-41, and 44-45 under 35 U.S.C. § 103(a) as being unpatentable over Mitchell (U.S. Patent No. 6,702,350), in view of Cover et al (U.S. Patent No. 6,961,905). Claims 11-14, 22-23, 39, and 42-43 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Mitchell and Cover et al., further in view of Bates et al (U.S. Patent No. 6,809,741). Claim 1 has been amended as indicated above. Claims 1-45 are pending in the application.

Applicants' attorney thanks Examiner Desire for the time and consideration he extended in a telephone interview conducted on April 18, 2006. In the interview, the undersigned counsel and Examiner Desire discussed the Mitchell and Cover et al. references in view of the pending claims, particularly independent Claims 1 and 35. The deficiencies of Mitchell and Cover et al. as applied to the claims in the application were noted.

Prior to discussing the specific elements that distinguish the claims over the Mitchell, Cover et al., and/or Bates et al. references, a short description of the prior art is provided.

A.   Summary of Cited and Applied Art

1.   Mitchell

Mitchell teaches a system and method in which a user is able to selectively filter out undesired elements of a Web page, such as banner advertisements. In one aspect of Mitchell, a filter script is generated and stored in association with the URL of a Web page source document. When the Web page source document is subsequently accessed, the filter script, knowing the structure of the Web page source document, acts on the HTML code in the source document to suppress identified elements prior to generating the Web page for display to a user.

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As recognized in the Mitchell reference, a Web page source document typically comprises a collection of instructions. The instructions, frequently written in hypertext markup language (HTML), are interpreted and executed by a Web browser application to generate a Web page display. See Col. 2, lines 55-65 of Mitchell.

The Web page filtering described by Mitchell (see Col. 3, lines 19-47) specifically relies on and requires a formalized structure of the Web page source document in order to generate the filter script that, when executed, can operate to prevent undesired elements in Web pages from being displayed. A gateway filter process may generically scan (or read through) Web page data for certain HTML expressions encoding a banner advertisement and block the expression of that content from being displayed by the browser. See Col. 3, lines 24-29. In another embodiment, a stream editor function may be employed to scan or read through all incoming Web page data for a text pattern that implicates a previously generated filter script. For example, as indicated at Col. 3, lines 12-18, if a user wants to suppress all advertisements from Joe's Diner, the user may right click on an advertisement to activate a filter script program. The editor tool 130 disclosed by Mitchell then records HTML data or other information related to the generation of the advertisement, labeling it as "Joe'sDiner.tag." Then, as described at Col. 3, lines 38-44, the stream editor function may conduct surveillance on incoming Web data and, in accordance with the filter script "Joe'sDiner.tag," act to suppress a Joe's Diner advertisement before the Web page is generated and displayed by the browser.

In summary, Mitchell relies on the structure and content of a Web page source document in order to identify and remove particular text or objects prior to generating and displaying the Web page in a browser.

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2. Cover et al.

The Cover et al. reference teaches an editing program that establishes communication with a remote computer using an Internet protocol. The editing program downloads a Web page containing one or more imported images and displays the Web page on a user interface. As the user moves a cursor over an imported image, its appearance may change. The user may select an imported image to edit directly from the displayed Web page. In response to the user selecting an image, the editing program presents the image in an editing interface for modification by the user. The image may then be saved back to its original location according to write access permissions.

3. Bates et al.

Bates discloses a color contrast adjuster that selects and applies a new color combination for text and background based on a current text and background color combination, if the current color combination is a problem color combination. The color contrast adjuster can store multiple problem and preferred color combinations for each user. The color contrast adjuster can replace a problem color combination with a preferred color combination.

B. Claim 1 Is Patentable Over the Prior Art

For convenience of review, amended Claim 1 is repeated as follows:

> 1. A computer-implemented method for suppressing one or more features in an image of a page of content, comprising:
>
> (a) acquiring an image of a page of content;
>
> (b) automatically analyzing the image to identify one or more features in the image of the page of content that are to be suppressed or not to be suppressed, wherein the analysis is performed by a computer process; and

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(c)   preparing a substitute image for display that includes one or more portions of the analyzed image having those features that are not to be suppressed.

In contrast to Mitchell and Cover et al., the method claimed in Claim 1 is a computer-implemented method that acts upon an image of a page of content. After an image of a page of content is acquired, a computer process automatically analyzes the image to identify one or more features in the image that are to be suppressed or not to be suppressed. Such features may include (but are not limited to), for example, photographs, graphics, charts, names, numbers, dates, formulae, equations, pictures, and other text or non-text objects, or portions thereof.

With respect to Mitchell, analyzing an <u>image</u> cannot be considered an equivalent to analyzing formatted instructions contained in a Web page source document. Persons of ordinary skill in the art recognize there is a fundamental difference between an image and a Web page source document. A browser must first interpret a Web page source document in order to generate a Web page display. For example, turning to the Cover et al. reference at Col. 4, lines 59-63, it states: "An imported image is any displayable image, including a JPEG, GIF, PCX, bitmap, or other graphic as well as a spreadsheet, table or graph, or the like, that contains data outside the scope of the markup language in which the web page is written." This is simply one example of how an image differs from the markup language of a Web page source document.

A method for filtering Web page markup language, as disclosed by Mitchell, is not applicable to the claimed invention. Moreover, Mitchell does not describe or suggest analyzing an <u>image</u> and suppressing features <u>in the image</u> as claimed. Rather, Mitchell is concerned with analyzing the markup language of a Web page source document. Filtering a Web page source document to remove certain objects is not the same as analyzing an image of a page of content and preparing a substitute image as claimed in Claim 1.

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The Office recognizes this distinction in the Office Action. While the Office alleges that Mitchell teaches acquiring a page of content, it does not allege that Mitchell acquires an image of a page of content. The Office conceded: "Although web page contents include images, Mitchell does not clearly disclose an image of the web page." Attempting to cure this deficiency, however, the Office cited Cover et al., stating "Cover discloses displaying and importing images (note col. 4 lines 57-67, importing page data i.e. spreadsheets)." See pages 2-3 of the Office Action.

At best, however, Cover et al. discloses a method in which, after a Web page has been generated and displayed, a user can select an image shown in the Web page for manual editing by the user. In response to user selection of the image, an editing program presents the image in an editing interface for modification by the user. The user may then save the edited image back to its original location.

Applicant does not agree that Cover et al. is properly combinable with Mitchell. Nevertheless, even if the two disclosures are combined, the resulting technology is one in which a Web page source document is first filtered for undesired elements, after which the Web page is displayed and a user can select an image in the Web page for manual editing. Notably, in both Cover et al. and Mitchell, there is no teaching or suggestion of a method or system in which an image of a page of content is automatically analyzed by a computer process to identify one or more features in the image that are to be suppressed or not to be suppressed. Additionally, neither Cover et al. nor Mitchell teaches the element of "preparing a substitute image for display that includes one or more portions of the analyzed image having those features that are not to be suppressed."

For the foregoing reasons, the Web page filtering described by Mitchell cannot be properly combined with the manual image editing described by Cover et al. to reject Claim 1 as being obvious. A *prima facie* rejection under Section 103 requires, in part, that the combined references

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teach all of the elements of the claim at issue. That is not the case in the present application; therefore, a *prima facie* obviousness rejection has not been shown. Applicants respectfully request the Office to reconsider the deficiencies of disclosure of Mitchell and Cover et al., and withdraw the rejection of Claim 1.

C.   <u>Claims 2-34 Are Also Patentable Over the Prior Art</u>

In the Office Action, the Office further applied Mitchell (in combination with Cover et al.) as teaching the elements of Claims 2-10, 15-21, and 24-34, which are dependent on Claim 1. The Office also cited Bates et al. (in combination with Mitchell and Cover et al.) as teaching the elements of Claims 11-14 and 22-23, which are dependent on Claim 1. Applicants respectfully submit that the foregoing dependent claims are patentable over the cited art, not only for their dependence on allowable Claim 1, but also for the additional subject matter recited therein.

For example, Claim 2 further defines Claim 1 by stating that "acquiring an image of a page of content comprises scanning a page of content into an electronic image format." Nowhere is this subject matter described or suggested by Mitchell (or Cover et al. or Bates et al.). While the Office cited to a portion of Mitchell at Col. 3, lines 23-29, that uses the word "scan," this use of the word "scan" has a meaning that is irrelevant to the present application. In this passage, Mitchell discusses an Internet data stream that is scanned, or read, by a filter process as the data is being passed to a browser. In the context of Claim 2, however, the word "scanning" refers to a process in which an electronic image of a page of content is made. A flatbed scanner is one example of an apparatus that could be used to scan a page of content into an electronic image format.

Claims 3 and 4, for example, also further define Claim 1 in a manner not taught by any combination of the cited art. Specifically, the Office cited Mitchell as disclosing a process of "acquiring an image of a page of content [by] converting electronic text into an electronic image

format" (Claim 3) and by "retrieving an image of a page of content that was previously stored in a memory" (Claim 4). However, the portion of Mitchell cited with respect to Claim 3 does not describe converting electronic text into an electronic image format. In Mitchell, the source document 104 shown in Figure 1 and the reference to "text" at Col. 2, lines 59-60, merely reiterate a point made earlier in this response, that is, a Web page is actually a source document prepared in a text markup language such as HTML. The description at Col. 4, lines 4-16, cited with respect to Claim 4, describes retrieving a Web page source document using a URL request through a browser that, as discussed earlier herein, does not teach the element of acquiring an image of a page of content by retrieving the image from a memory.

As yet another example, Claims 28 recites a method "in which preparing a substitute image comprises generating a blank image and using the location and size information to copy pixel information for the features that can be included into the substitute image at the same locations as in the analyzed image." The Office cites Mitchell at Col. 2, lines 51-52, as teaching this element, but applicants disagree. This portion of Mitchell only describes what a user may see when a Web page is rendered after an object is filtered out of the Web page source document, e.g., the user may see a placeholder symbol or blank zone. This does not teach or suggest the claimed element in which location and size information is used to copy pixel information for the features that can be included into the substitute image at the same locations as in the analyzed image.

The foregoing are merely examples of ways in which the claims dependent on Claim 1 define subject matter that is patentable over Mitchell, Cover et al., and/or Bates et al. Dependent claims not specifically discussed above also merit separate consideration for the additional patentable subject matter they recite. Additionally, applicants have considered the disclosure of Bates et al. and find nothing that cures the deficiencies described above.

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As to Claim 11, in which Mitchell, Cover et al., and Bates et al. are specifically cited in combination, applicants do not find the rejection to be proper. Bates et al. discloses a color contrast adjuster that automatically selects and applies new color combinations for a text and background based on a current color combination for the text and background. Thus, if the current color combination presents a problem (e.g., that the text is difficult to see with respect to the background), the colors are adjusted to rectify the problem. The discussion at Col. 5, lines 23-33, of Bates et al. merely indicates that the color contrast adjuster is operable in a Web page environment in connection with a Web browser. Bates et al. does not teach or suggest "copying pixel information for the non-suppressed features from the analyzed image to the substitute image at one or more locations corresponding to the locations of the non-suppressed features in the analyzed image," as claimed in Claim 11. Applicants further submit that the disclosure at Col. 5, lines 30-35, of Bates et al. does not teach or suggest the subject matter set forth in Claims 12-14, as alleged in the Office Action.

As a further example of the patentability of the dependent claims, Claim 22 recites the method of Claim 1, in which the method further comprises "including background image information in the substitute image by duplicating pixel information from the background of the analyzed image to the background of the substitute image." Claim 23 recites the method of Claim 1, further comprising "including background image information in the substitute image by differentiating foreground pixel information from background pixel information, and removing foreground pixel information from the substitute image that corresponds to the features to be suppressed." The disclosure of Bates et al. at Col. 5, lines 45-55, does not teach these elements, which, as the Office recognizes, are also not taught by the Mitchell and Cover et al. references.

For the foregoing reasons, applicants respectfully submit that each of the dependent Claims 2-34 in the present application is patentable over the cited art.

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D.   Claim 35 Is Patentable Over the Prior Art

Turning now to independent Claim 35, a computer system is claimed in which an image of a page of content is provided to a user as a result of a search. The computer system comprises "a search server in communication with a database server." The database server is configured "with a library of content that includes (1) an image database containing images of pages of content, and (2) a text searchable database containing text and information identifying the images in the image database that contain the text." Further, the search server is configured "with computer-implemented instructions that enable the search server to retrieve an image of a page of content from the image database based on a user search, analyze the image to identify one or more features in the image that are to be suppressed or not to be suppressed, [and] prepare a substitute image that includes one or more portions of the analyzed image having those features that are not to be suppressed." The substitute image is then provided to the user.

In the Office Action, the Office did not provide any explanation for rejecting Claim 35 other than stating it was rejected as being unpatentable over Mitchell in view of Cover et al. Applicants have carefully considered the Mitchell and Cover et al. references and, even if the two references are combined (which combination applicants deny), the references do not teach or suggest all of the elements of the computer system recited in Claim 35. In the absence of further explanation from the Office, applicants request the Office to reconsider the patentability of Claim 35 and, in doing so, to consider at least the reasons presented above with respect to Claim 1.

Mitchell and Cover et al. (and Bates et al., for that matter) in any combination, do not disclose a computer system that provides an image of a page of content to a user as a result of a search, as claimed. The cited art does not disclose a computer system "comprising a search server in communication with a database server, in which the database server is configured with a library of content that includes (1) an image database containing images of pages of content and (2) a text

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searchable database containing text and information identifying the images in the image database that contain the text." Furthermore, the cited art does not teach "the search server being configured with computer-implemented instructions that enable the search server to retrieve an image of a page of content from the image database based on a user search," nor to "analyze the image to identify one or more features in the image that are to be suppressed or not to be suppressed," nor to "prepare a substitute image that includes one or more portions of the analyzed image having those features that are not to be suppressed, and provide the substitute image to the user," as claimed.

For the foregoing reasons, Mitchell cannot be properly combined with Cover et al. to reject Claim 35 as being obvious. As noted above, a *prima facie* rejection under Section 103 requires, in part, that the combined references teach all of the elements of the claim at issue. That is not the case for Claim 35; therefore, a *prima facie* obviousness rejection has not been shown. Applicants respectfully request the Office to withdraw the rejection of Claim 35.

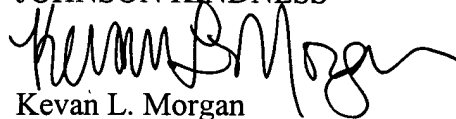E.   Claims 36-45 Are Also Patentable Over the Prior Art

In the Office Action, the Office further applied Mitchell (in combination with Cover et al.) as teaching the elements of Claims 36-38, 40-41, and 44-45, which are dependent on Claim 35. The Office also cited Bates et al. (in combination with Mitchell and Cover et al.) as teaching the elements of Claims 39 and 42-43, which are dependent on Claim 35. Applicants respectfully submit that the foregoing dependent claims are patentable over the cited art, not only for their dependence on allowable Claim 35, but also for the additional subject matter recited therein. Arguments presented above with respect to claims dependent on Claim 1 are similarly applicable to the claims dependent on Claim 35, e.g., for Claim 38, see the arguments above for Claim 28; for Claim 39, see the arguments above for Claim 11; and for Claim 43, see the arguments above for Claim 23.

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CONCLUSION

For the foregoing reasons, among others, the claims in the present application are patentable over the prior art. Applicants respectfully request withdrawal of the rejection of Claims 1-45 and allowance of the claims at an early date. Should any issues remain needing resolution prior to allowance, the Examiner is invited to contact the undersigned counsel at the telephone number indicated below.

Respectfully submitted,

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